

MICHAEL A. CARDOZO  
Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

CARYN ROSENCRANTZ  
Assistant Corporation Counsel  
(212) 788-1276  
(212) 788-9776 (fax)

June 12, 2008

**BY FACSIMILE**

Honorable George B. Daniels  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007  
Fax: (212) 805-6737

**SO ORDERED**

*George B. Daniels*  
**HON. GEORGE B. DANIELS**  
JUN 13 2008

Re: Wilkins v. N.Y.C. Dept. of Correction, 07 CV 10699 (GBD) (DEF)<sup>1</sup>

Your Honor:

As the Assistant Corporation Counsel assigned to the defense of the above-referenced civil rights matter, I write to respectfully request an enlargement of time from June 11, 2008 until August 11, 2008 to complete fact discovery. Should Your Honor grant this request, defendants further respectfully request that the Court enlarge the corresponding deadlines as set forth in the Your Honor's Case Management and Scheduling Order, dated December 7, 2007, by sixty (60) days. *Pro Se* plaintiff, Andre Wilkins, is currently incarcerated so I am unable to obtain his consent. However, I have no reason to believe that plaintiff would object to this initial request for an enlargement of time in which to completely fact discovery.

As Your Honor may be aware, I inadvertently sent a request for an enlargement of discovery by letter dated June 5, 2008 to Magistrate Judge Douglas F. Eaton.<sup>2</sup> The Honorable Judge Eaton's clerk informed me by telephone today of this error, and I apologize for any

<sup>1</sup> This case has been assigned to Assistant Corporation Counsel Katherine E. Smith, who is presently awaiting admission to the bar and is handling this matter under supervision. Ms. Smith may be reached directly at (212) 513-0462.

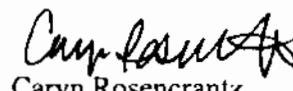
<sup>2</sup> A copy of defendant's letter to Magistrate Judge Douglas F. Eaton dated June 5, 2008 is annexed hereto for the Court's convenience.

inconvenience this may have caused. To date, defendants have responded to Plaintiff's 33.2 Interrogatories and Request of Production of Documents and served plaintiff with their First Set of Interrogatories and Request for Production of Documents. Defendants are still awaiting plaintiff's response.<sup>3</sup> Due to the fact that plaintiff is incarcerated at a Bare Hill Correctional Facility in Bucks County, Pennsylvania, arrangements must be made in order to take plaintiff's deposition and afford him the opportunity to conduct depositions. Therefore, an enlargement of time will allow the parties to complete discovery and provide plaintiff time in which to respond to defendants' document requests. Finally, upon receipt of plaintiff's responses to defendants' discovery demands, defendants will be in a better position to properly evaluate this action for settlement before expending the cost to depose plaintiff.

Accordingly, it is respectfully requested that the parties' time to complete fact discovery be extended to and including August 11, 2008. Should Your Honor grant this request, the parties further respectfully request that the Court enlarge the corresponding deadlines as set forth in Your Honor's Case Management and Scheduling Order, dated December 7, 2007, by sixty (60) days.

I thank Your Honor for considering the within requests.

Respectfully submitted,

  
Caryn Rosencrantz  
Assistant Corporation Counsel

cc: Maurice Adrian Wilkins (#092778)  
Bucks County Correctional Facility  
1730 South Easton Road  
Dolyestown, Pennsylvania 18901

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<sup>3</sup> The initial conference in this case was originally scheduled to take place on March 12, 2008 and was adjourned to April 16, 2008.